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First Named Inventor: Walter Gerlich

Application No. 10/518,309

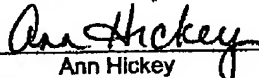
Atty Docket No: 2002P03697WOUS

Filed: December 16, 2004

Title: CONTACT DEVICE FOR THE ELECTRICAL CONTACT OF CABLE SHIELDS

Examiner: Felix O. Figueroa

Art Unit: 2833

➔ **FACSIMILE ATTN TO: FELIX O. FIGUEROA****FAX NO.: 571-273-8300****APPEAL BRIEF**Commissioner for Patents
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	Filing Date	December 16, 2004	
	First Named Inventor	Walter Gerlich	
	Art Unit	2833	
	Examiner Name	Felix O. Figueroa	
Total Number of Pages in This Submission	22	Attorney Docket Number	2002P03697WQUS

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<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27		Application Number	10/518,309
		Filing Date	December 16, 2004
		First Named Inventor	Walter Gerlich
		Examiner Name	Felix O. Figueroa
		Art Unit	2833
TOTAL AMOUNT OF PAYMENT (\$) 500		Attorney Docket No.	2002P03697W/DUS

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FEE CALCULATION

1. BASIC FILING, SEARCH, AND EXAMINATION FEES

Application Type	FILING FEES		SEARCH FEES		EXAMINATION FEES		Fees Paid (\$)
	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	
Utility	300	150	500	250	200	100	_____
Design	200	100	100	50	130	65	_____
Plant	200	100	300	150	160	80	_____
Reissue	300	150	500	250	600	300	_____
Provisional	200	100	0	0	0	0	_____

2. EXCESS CLAIM FEES

Fee Description

Each claim over 20 (including Reissues)

Each independent claim over 3 (including Reissues)

Multiple dependent claims

Total Claims	Extra Claims	Fee (\$)	Fee Paid (\$)
-20 or HP= _____	x _____	= _____	_____

HP = highest number of total claims paid for, if greater than 20.

Indep. Claims	Extra Claims	Fee (\$)	Fee Paid (\$)
- 3 or HP= _____	x _____	= _____	_____

HP = highest number of independent claims paid for, if greater than 3.

3. APPLICATION SIZE FEE

If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(a).


Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof	Fee (\$)	Fee Paid (\$)
_____ - 100 = _____	/ 50 = _____	(round up to a whole number) x _____	= _____	_____

4. OTHER FEE(S)

Appeal Brief Fee Under 37 CFR 41.20(b)(2)

Fee Paid (\$)
500.00

SUBMITTED BY

Signature		Registration No. (Attorney/Agent)	44,961	Telephone	407-736-6449
Name (Print/Type)	JOHN P. MUSONE	Date	APRIL 5, 2007		

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**PATENT
Attorney Docket No. 2002P03697WOUS**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Inventor:	W. Gerlich et al.)	
)	Group Art Unit: 2833
Serial No.:	10/518,309)	
)	Examiner: F. Figueroa
Filed:	December 16, 2004)	

Title: CONTACT DEVICE FOR THE ELECTRICAL CONTACT OF CABLE SHIELDS

**Commissioner For Patents
P.O. Box 1450
Alexandria, VA 22313-1450**

Sir:

APPELLANTS BRIEF

This Appeal Brief relates to an appeal from the final rejection of claims 16-20, 22, 23, 25-27, 30, 32, 34 and 37-42 in the Final Office Action mailed December 5, 2006.

04/06/2007 TL0111 00000030 192179 10518309
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Atty. Doc. No. 2002P03697WOUS

Real Party In Interest

This application is assigned to Siemens Aktiengesellschaft of Munich Germany.

Related Appeals and Interferences

There are no prior and pending appeals, interferences or judicial proceedings known to Applicants, Applicants' legal representative, or Assignee which may be related to, directly affect or directly affected by or have a bearing on the Board's decision in this appeal.

Status of Claims

Claims 16-20, 22, 23, 25-27, 30, 32, 34 and 37-39 stand rejected by the Final Office Action mailed December 5, 2006 and are presently under appeal in this proceeding and claims 40-42 stand withdrawn. No other claims stand rejected, allowed, withdrawn, objected to, or cancelled.

Status of Amendments

No amendment has been filed subsequent to the Final Office Action.

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Summary of Claimed Subject Matter

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Independent Claim 16

Referring to Figures 2, 3, 4, and 5, independent claim 16 recites a contact device for an electrical cable with a cable shield within a cable sheath, comprising:

an arc-shaped contact part 4 that can be fastened around the sheath of the cable 2 and is provided with contact elements 5 that protrude in a radially inward manner (see e.g. page 8 lines 26-28),

wherein each contact element 5 includes a tip 13 to penetrate the cable sheath and produces an electrical contact with the cable shield (see e.g. page 8 lines 10-18),

wherein after installation, each contact element 5 is arranged in a direction of impact that is oriented inwards in a substantially radial manner (see e.g. page 8 lines 10 – 14.),

wherein the contact part 4 is formed as a cable clip 6 (see e.g. page 4 lines 27-29),

wherein a gear ring 15 is formed from radially inward bent edges of the cable clip 6 (see e.g. page 5 lines 4-6),

wherein teeth 15 of the gear ring 15 form the contact elements 5 (see e.g. page 8 lines 26-30),

wherein the gear ring 15 has a plurality of rigid stops 18 bent radially inward between the teeth, the stops 18 centering the cable 2 when the cable clip 6 is in a fastened state and the stops 18 prevent further penetration of the contact part into the cable 2 when the stops 18 contact the cable 2 during installation (see e.g. page 4 lines 32-33, page 9 lines 9-17).

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Independent Claim 34

Referring to Figures 2, 3, 4, and 5, a contact device for an electrical cable with a cable shield within a cable sheath, comprising:

a substantially-flat base portion 17 having a bolt fixing (see e.g. page 8 lines 30-32);

a rigid arc-shaped contact part connected to the base portion, the contact part for fastening around a sheath of the cable and having contact elements 5 that protrude radially inward (see e.g. page 8 lines 26-26);

wherein each contact element 5 includes a tip 13 such that during installation the tip 13 penetrates the cable sheath and produces an electrical contact with the cable shield (see e.g. page 8 lines 10-18),

wherein each tip 13 is equally spaced from adjacent tips 13 (see e.g. page 5 lines 6-8),

wherein the contact part 4 is formed as a cable clip 6 (see e.g. page 4 lines 27-29),

wherein a gear ring 15 is formed from radially inward bent edges of the cable clip 16 (see e.g. page 5 line 4-6),

wherein teeth 15 of the gear ring 15 form the contact elements 5 (see e.g. page 8 lines 26-30),

wherein the gear ring 15 has a plurality of rigid stops 18 bent radially inward between the teeth, the stops 18 centering the cable 2 when the cable clip 6 is in a fastened state (see e.g. page 4 lines 32-33, page 9 lines 9-17).

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Grounds for Rejection to be Reviewed

Whether claims 16-20 and 25-27 are unpatentable under 35 U.S.C. § 102 as being anticipated by Gutter et al. (USPN 4,696,908), whether claims 22-24 are unpatentable under 35 U.S.C. § 103(a) as being obvious over Gutter in view of what would be obvious by one skilled in the art, whether claim 30 is unpatentable under 35 U.S.C. § 103(a) as being obvious over Gutter in view of Rumbach et al. (US Application 2003/0175550), whether claim 32, 34 and 37-39 are unpatentable under 35 U.S.C. § 103(a) as being obvious over Gutter in view of Admitted Prior Art (AAPA) and Tanges, Jr. et al. (USPN 3,452,318).

Particularly, if Gutter teaches:

- a. a rigid arc-shaped contact part
- b. after installation, each contact element is arranged in a direction of impact that is oriented inwards in a substantially radial manner
- c. each tip is equally spaced from adjacent tips
- d. stops bent radially inward between the teeth
- e. the stops prevent further penetration of the contact part into the cable when the stops contact the cable

Appellants' Argument

A. Applicants' Invention

There is a need to provide an electrical contact with insulated cables without striping the insulation such the contact:

is suitable for manufacture in large quantities,
provides a strain relief provided for the cable,
produces no oval deformation of the cable, and
is reliable.

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The present invention provides a solution to these needs via a contact device having a rigid arc-shaped contact part such that the shape of the arc is maintained in an installed or uninstalled state.

In one aspect of the Applicants' invention the contact device may be formed as a unitary cable clip with contact elements designed as teeth on a tooth ring. The cable clip, for example, may be manufactured from punched and shaped components with the teeth from edges of a sheet section bent radially inward. The unitary design is suitable for manufacture in large quantities and provides for an easy installation.

In another aspect of the Applicants' invention, the teeth are triangular and the points are arranged at equal distances apart. Thus, a stress relief is provided.

In another aspect of the Applicants' invention the teeth are appropriate to the thickness of the cable sheath so that insulation of the single cores in the cable is not damaged. For this, a radial stop may be manufactured in which the teeth are arranged on the peripheral side over gaps. The stop may also, for example, be manufactured from lugs pointing radially inward. The stops limit the penetration depth of the contact elements. Thus, the stops prevent a deformation of the cable cross-section such that there is no irregular depth penetration of the contact elements.

Still in another aspect of the invention, the ends of the contact part feed into a base having a drill hole such that the contact device may be fixed using a bolt.

Yet in another aspect of the invention, after installation, each contact element is arranged in a direction of impact that is oriented inwards in a substantially radial manner.

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B. The Cited Art

a) Gutter

Gutter teaches a flexible strap having pointed contact tips formed integral with the strap and the contact tips arranged in pairs (see e.g. col. 3 lines 7-12, col. 3 lines 16-24, FIG 1). The strap is also formed with an upward convex surface between each contact tip pair and a downward concave surface between the contact tips in a pair (see e.g. col. 3 lines 30-34, FIG 1). The convex surface is greater than the concave surface providing a greater distance between each contact pair than the distance between contact tips in a pair (see e.g. col. 3 lines 43-47).

A distinctly separate clamping apparatus is used to clamp the strap to a shielded cable, thus installing the cable strap to the cable (see e.g. col. 4 lines 14-15, FIG 2). During installation, the concave surfaces acts a pivot mechanism to ensure each contact tip pair turn toward each other until the tips touch (see e.g. col. 4 lines 41-50, FIG 3). Therefore, in the installed position, the contact tip pairs that have come together secure the strap to the cable (see e.g. col. 4 Lines 53-56; FIG 3). Also during the installation, the convex and concave surfaces partially flatten thus storing energy in the spring-like action of the convex and concave surfaces. (see e.g. col. 4 lines 60-68). As a result of the spring like action, the strap is firmly installed to the cable (see e.g. col 4 line 66 - col. 4 line 2) Once the cable strap is installed the distinctly separate clamping apparatus is removed (see e.g. col. 4 lines 57-60).

b) Rumbach

Rumbach teaches an electrically conductive metal strip for the production of electrical contact components, in particular plug connectors, having a core strip made of a copper material and a metal facing, made of a copper-nickel-zinc alloy roll-bonded clad on at least one side (Abstract).

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c) Tanges, Jr.

Tanges, Jr. teaches a strap for a shielded cable which permits attachment of a ground terminal to the cable shielded without the need for stripping of the shield or soldering. (Abstract)

Section 102 Rejection of Independent Claims 16 and 34:

The Examiner states that independent claims 16 and 34 are unpatentable under 35 U.S.C § 102 as being anticipated by Gutter. Applicants respectfully disagree and respectfully submit there are no less than 5 distinct limitation that render the claimed invention patentable, as discussed below.

a. rigid arc-shaped contact part

The Examiner asserts that Gutter teaches an arc-shaped contact part. However, claim 34 recites a rigid arc-shaped contact part. The Examiner has simply ignored the limitation that the arc-shaped contact part is rigid. Gutter teaches that the cable strap is flexible not rigid. Furthermore, Gutter teaches that the cable strap in the installed state the concave and convex surfaces in the installed state of the cable strap are springy. The terms "flexible" and "springy" cannot reasonably be construed as rigid.

b. after installation, each contact element is arranged in a direction of impact that is oriented inwards in a substantially radial manner

The Examiner asserts that Gutter teaches after installation, each contact element is arranged in a direction of impact and oriented inwards in a substantially radial manner. Applicants respectfully submit that Gutter teaches that the contact pairs turn toward each other until the tips touch. In this configuration, the contact element is not oriented inwards but is

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turned away from inward. Contact pair elements that turn toward each other cannot be reasonably construed as contact elements arranged in a direction of impact (inwards).

c. each tip is equally spaced from adjacent tips

The Examiner asserts that Gutter teaches that each tip is equally spaced from adjacent tips. Applicants respectfully submit that Gutter teaches the convex surface is greater than the concave surface providing a greater distance between each contact pair than the distance between contact tips in a pair. Having different distances cannot reasonably be construed as equally spaced.

d. stops bent radially inward between the teeth

The Examiner asserts that Gutter teaches the cable strap has stops bent radially inward between the teeth. Applicants respectfully submit that Gutter teaches an upward convex surface between each teeth pair and a downward concave surface between the teeth in a pair. A convex surface cannot reasonable be construed as radially inward.

e. the stops prevent further penetration of the contact part into the cable when the stops contact the cable

The Examiner asserts that Gutter teaches stops (concave surfaces) prevent further penetration of the contact part into the cable. Applicants respectfully submit that Gutter teaches that the concave surfaces acts a pivot mechanism to ensure each contact pair turn toward each other until the tips touch and does not each or suggest not the concave surfaces prevent further penetration of the contact part into the cable when contacted by the cable. Moreover, Gutter

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teaches that the concave surface flattens out during contact, thus allowing further penetration of the contact part.

Section 103 Rejection of Dependent Claims 17,-20, 22, 23, 25-27, 30, 32, 37-39:

For at least the reasons described above under Section 102 Rejection of Independent Claims 16 and 34, the dependent claims 17-20, 22, 23, 25-27, 30, 32, 37-39 are patentable.

Restriction Requirement for Claims 40-42:

Applicant agrees with and does not seek to traverse the Examiner's determination of patentable distinctiveness between the original claims and claims 40-42. However, Applicant urges the Examiner to **carefully reconsider** the appropriateness of the patentable distinctiveness determination, as set forth in MPEP 806.04(h) and 808.01(a).


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Conclusion

For the foregoing reasons, Applicants respectfully submit that the rejections set forth in the Final Office Action are inapplicable to the pending claims. The honorable Board is therefore respectfully requested to reverse the final rejection of the Examiner and to remand the application to the Examiner with instructions to allow the pending claims. Please grant any extensions of time required to enter this paper. The commissioner is hereby authorized to charge any appropriate fees due in connection with this paper, including the fees specified in 37 C.F.R. §§ 1.16 (c), 1.17(a)(1) and 1.20(d), or credit any overpayments to Deposit Account No. 19-2179.

Respectfully submitted,

Dated: 4/5/07

By: 
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Siemens Corporation
Intellectual Property Department
170 Wood Avenue South
Iselin, New Jersey 08830

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Claims Appendix:

1.-15. (cancelled)

16. (previously presented) A contact device for an electrical cable with a cable shield within a cable sheath, comprising:

an arc-shaped contact part that can be fastened around the sheath of the cable and is provided with contact elements that protrude in a radially inward manner,

wherein each contact element includes a tip to penetrate the cable sheath and produces an electrical contact with the cable shield,

wherein after installation, each contact element is arranged in a direction of impact that is oriented inwards in a substantially radial manner,

wherein the contact part is formed as a cable clip,

wherein a gear ring is formed from radially inward bent edges of the cable clip,

wherein teeth of the gear ring form the contact elements,

wherein the gear ring has a plurality of rigid stops bent radially inward between the teeth, the stops centering the cable when the cable clip is in a fastened state and the stops prevent further penetration of the contact part into the cable when the stops contact the cable during installation.

17. (previously presented) The contact device according to Claim 16, wherein the teeth of the fastened contact clip penetrate the cable sheath such that an electrical contact is provided in an essentially concentric area with respect to the longitudinal axis of the cable.

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18. (previously presented) The contact device according to Claim 16, wherein the cable clip is made from a punched and shaped component of sheet metal section.

19. (previously presented) The contact device according to Claim 17, wherein the cable clip is made from a punched and shaped component of sheet metal section.

20. (previously presented) The contact device according to Claim 16, wherein the teeth are triangular shaped and the tips are arranged at equal distances apart.

21. (canceled)

22. (previously presented) The contact device according to Claim 16, wherein each tooth has a tooth height that is smaller than or equal to an overall thickness, wherein the overall thickness comprises the thickness of the cable sheath and the thickness of the cable shield.

23. (previously presented) The contact device according to Claim 17, wherein each tooth has a tooth height that is smaller than or equal to an overall thickness, wherein the overall thickness comprises the thickness of the cable sheath and the thickness of the cable shield.

24. (canceled)

25. (previously presented) The contact device according to Claim 16, wherein the teeth are arranged on the peripheral side over gaps.

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26. (previously presented) The contact device according to Claim 17, wherein the teeth are arranged on the peripheral side over gaps.

27. (previously presented) The contact device according to Claim 16, wherein contact part and all the teeth are made from one piece and from the same metallic material.

28. (canceled)

29. (canceled)

30. (previously presented) The contact device according to Claim 16, wherein the contact part is manufactured from a corrosion-resistant material.

31. (canceled)

32. (previously presented) The contact device according to Claim 16, wherein the contact part is fastened to a board of an electrical device using a bolted connection and the cable shield is electrically connected to the ground potential of the board by the contact part.

33. (canceled)

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34. (previously presented) A contact device for an electrical cable with a cable shield within a cable sheath, comprising:

a substantially-flat base portion having a bolt fixing;

a rigid arc-shaped contact part connected to the base portion, the contact part for fastening around a sheath of the cable and having contact elements that protrude radially inward;

wherein each contact element includes a tip such that during installation the tip penetrates the cable sheath and produces an electrical contact with the cable shield,

wherein each tip is equally spaced from adjacent tips,

wherein the contact part is formed as a cable clip,

wherein a gear ring is formed from radially inward bent edges of the cable clip,

wherein teeth of the gear ring form the contact elements,

wherein the gear ring has a plurality of rigid stops bent radially inward between the teeth, the stops centering the cable when the cable clip is in a fastened state.

35. (canceled)

36. (canceled)

37. (previously presented) The contact device according to claim 34, wherein the stops prevent further penetration of the contact part into the cable when the stops contact the cable during installation.

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38. (previously presented) The contact device according to claim 34, wherein after installation, each contact element is arranged in a direction of impact that is oriented inwards in a substantially radial manner.

39. (previously presented) The contact device according to Claim 34, wherein the cable clip is made from a punched and shaped component of sheet metal section.

40.-42.(withdrawn)

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Evidence Appendix

None

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None